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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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ANDREW GREER, #27297-078

§

*versus*

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CIVIL ACTION NO. 4:23-CV-483

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CRIMINAL ACTION NO. 4:17-CR-94(1)

UNITED STATES OF AMERICA

§

**ORDER OF DISMISSAL**

The above-entitled and numbered civil action was referred to a United States Magistrate Judge, who issued a Report and Recommendation (#3) concluding that the Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody filed pursuant to 28 U.S.C. § 2255 should be dismissed without prejudice as successive. Movant filed objections (#6).

The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. Having made a *de novo* review of the objections raised by Movant to the Report, the Court concludes that the findings and conclusions of the Magistrate Judge are correct, and the objections of Movant are without merit.

It is accordingly **ORDERED** that Movant's Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (#1) pursuant to 28 U.S.C. § 2255 is **DISMISSED** without prejudice to Movant's right to file a motion for leave to file a successive § 2255 motion in the United States Court of Appeals for the Fifth Circuit. All motions by either party not previously ruled upon are **DENIED**.

SIGNED at Beaumont, Texas, this 25th day of July, 2023.



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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE